



# PENNSYLVANIA ASSOCIATION OF COMMUNITY BANKERS

THE VOICE FOR COMMUNITY BANKING IN PENNSYLVANIA SINCE 1876

November 10, 2008

Mr. Robert E. Feldman  
Executive Secretary  
Federal Deposit Insurance Corporation  
550 Seventeenth Street, NW  
Washington, DC 20429  
Attention: Comments – RIN No. 3064-AD35

**RE: Federal Deposit Insurance Corporation Notice of Proposed Rulemaking and Request for Comment - Deposit Insurance Assessments; RIN No. 3064-AD35**

Gentlemen:

On behalf of the Pennsylvania Association of Community Bankers representing over 150 community banks, I am writing regarding the agency's proposed rulemaking on deposit insurance assessments. **Before we comment on the specific rule, we want to urge the FDIC in the broadest sense to do nothing that harms community banking, the one sector of our financial services industry that in no way participated in the causes of the current financial crisis and continues to provide credit for economic growth within the nation's communities.**

Deposit insurance, provided through the FDIC's Deposit Insurance Fund (DIF), is a significant consumer protection critical to the financial system. The proposed insurance assessment plan is an important and necessary step to ensure that the fund returns to its statutorily prescribed level. **However, during this period of remarkable financial market turmoil, this should be done in a manner that reflects these conditions and, again, should be done so that this nation's community banks are not harshly and unfairly impacted.**

Continued uncertainty in global financial markets and the Federal Government's unprecedented efforts to address the crisis have created significant policy issues not considered within the rule. The Emergency Economic Stabilization Act signed into law on October 3 raised deposit insurance levels to \$250,000. Congress, while authorizing such coverage, specifically excluded the increase in coverage from the calculation of the DIF ratio signaling its preference to avoid an additional insurance premium increase.

Furthermore, on October 14, the FDIC, the Treasury and the Federal Reserve, in consultation with the President, invoked its systemic risk authority and extended deposit insurance coverage to all non-interest bearing transaction deposit accounts while also leaving this increased coverage out of the DIF ratio.

The actions cited above will expire on December 31, 2009, suggesting a comprehensive review of the nation's deposit insurance system will occur next year. The new Congress and Administration will determine whether such programs will expire or become a permanent part of the deposit insurance system. **We believe any significant changes to the assessment system should occur in concert with a full review of these issues.**

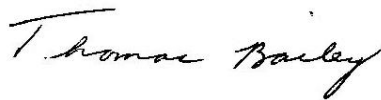
Secondly, the FDIC should extend the timeframe to rebuild the DIF. Under extraordinary circumstances, the FDIC may extend the DIF restoration period beyond five years. Considering that the FDIC has already cited its statutory authority to prevent systemic risk in its earlier actions, and the Federal Reserve and Treasury have taken steps reserved for extraordinary circumstances, it is only fitting that the FDIC use this opportunity to extend the period for DIF restoration.

By extending the restoration plan from five to at least ten years, the FDIC would ensure that new fees charged to already struggling institutions would remain reasonable and would ensure that healthy community banks would not be unfairly impacted and impeded from fulfilling the crucial role of providing continued credit within our communities. Through this suggested timeline, the FDIC would, though more slowly, begin to rebuild the DIF and policymakers would have greater time and flexibility to vet the future structure and coverage of the system.

In light of these factors, PACB urges the FDIC to suspend implementation of the new risk-based premiums and amend the current proposal to extend the DIF restoration period to at least ten years.

If you have any questions regarding our position, please contact Dave Transue, Vice President of Government Affairs. Thank you for consideration of our views.

Sincerely,

A handwritten signature in cursive script that reads "Thomas Bailey".

Thomas Bailey  
Chairman

Cc: All PACB Members